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HAWAII FILIPINO CHRONICLE

HAWAII'S ONLY WEEKLY FILIPINO-AMERICAN NEWSPAPER

PHILIPPINE LABOR GROUP ENDORSES BOYCOTT OF PACIFIC BEACH HOTEL

By Aiza Marie YAGO

Thirty officers and organizers from different unions conducted a leafleting at Sun Life Financial's headquarters in Makati City, Philippines last August 20, in unity with the protest of Filipino workers at the Pacific Beach Hotel in Waikiki.

The Trade Union Congress of the Philippines (TUCP) had passed a resolution to boycott Pacific Beach Hotel. The resolution calls upon hotel management to rehire the dismissed workers and settle the contract between the union and the company.

Pacific Beach Hotel has been charged by the U.S. government with 15 counts of federal Labor Law violations, including intimidation, coercion and firing employees for union activism. In December 2007, the hotel's administration refused to negotiate with the workers' legally-elected union and terminated 32 employees, the majority of whom are Filipinos.

Incidentally, Sun Life Financial, an in-

ternational financial services company, is the biggest investor in Pacific Beach Hotel. Sun Life holds an estimated US\$38 million mortgage and is in the process of putting up its market in the Philippines.

"If Sun Life wants to do business in the Philippines, the very least we can expect in return is that it will guarantee fair treatment for Filipino workers in the properties it controls," says Democrito Mendoza, TUCP president.

Rhandy Villanueva, spokesperson for employees at Pacific Beach Hotel, was one of those whose position was terminated. He says talks with management were largely unproductive.

"We tried hard to talk to the hotel man-

(continued on page 4)



Filipino union members and officials rally before Sun Life headquarters in Makati City, Philippines on behalf of laid-off workers at Pacific Beach Hotel.

Supreme Court Stops Conferment of 2009 National Artist Awards

By Edu PUNAY

MANILA, Philippines - The Supreme Court (SC) stopped yesterday the conferment of National Artist Awards on seven individuals and Malacañang has vowed to honor the injunction.

Press Secretary Gene Remonde said the Palace always abides by the SC's decisions.

In seeking the injunction, several National Artists and other concerned parties asked the SC to define the President's discretion naming awardees to the Order of the National Artist.

The petitioners were National Artists Virgilio Almaro (literature), Bienvenido Lumera (literature), Benedicto Cabrera (visual arts-painting), Napoleon Abueva (visual arts-sculpture) and Arturo Luz (visual arts-painting and sculpture). They were joined by the Concerned Artists of the Philippines, several university professors and private persons.

Named respondents in the petition were Executive Secretary Eduardo Ermita, the

Department of Budget and Management, Cultural Center of the Philippines, National Commission for Culture and the Arts and Malacañang-named National Artist awardees Cecille Guidote-Alvarez, Carlo Caparas, Jose Moreno and Francisco Mañosa.

SC spokesman Jose Midas Marquez said the Court saw the urgency to stop the conferment of the national artist awards pending resolution of the issues raised by petitioners.

The order also covers the other three awardees: Manuel Conde (posthumous) for film and broadcast arts; Lazaro Francisco (posthumous) for literature; and Federico Aguilar Alcuaz for visual arts, he added.

Malacañang, Alvarez, Caparas, Moreno, Mañosa and other respondents were ordered to comment on the petition within 10 days.

On the other hand, Chief Presidential Legal Counsel Raul Gonzalez said he ex-

(continued on page 4)

HECO Issues Safety Warning to Mango Pickers

By HFC Staff

Summer is mango season in Hawaii, which means many people will be harvesting the delicious tropical fruit from trees all across the state.

But before doing so, officials at the Hawaiian Electric Company (HECO) and its subsidiaries Maui Electric Company (MECO) and Hawaii Electric Light Company (HELCO) are reminding the public to use extreme caution, especially when picking fruit from trees near overhead power lines.

The importance of this message has been driven home by recent tragic deaths



involving people picking fruit using metal poles near power lines.

"We cannot emphasize this enough," says Harold Kageura, HECO vice president of Energy Delivery. "Overhead power lines

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EDITORIAL

The House Disease

When its members are not with President Arroyo in her numerous foreign junkets on taxpayers' dime, the House of Representatives is in session three days a week. Those session days are in between the long breaks for Christmas, Holy Week, All Saints' Day, several other holidays and the adjournment. The Senate, probably because of its considerably smaller membership, holds four session days a week. With a shorter workweek, you'd think House members would spare time for legislative sessions.

Yet mustering a quorum has always been a problem in the bigger chamber. A report yesterday said that since Aug. 1, the House mustered a quorum only once – on Aug. 12, when the chamber approved mostly local bills. In the first week of the month, the session was suspended as the House joined the nation in mourning the death of former President Corazon Aquino. While in official mourning, a 28-member House contingent tagged along with President Arroyo to Washington, apparently in hopes of having a photo with US President Barack Obama. Two of the congressmen were later reported to have footed the bill for two dinners for President Arroyo and several of her companions costing a total of \$35,000 in New York and Washington.

Why the absenteeism at this time? A maverick congressman said this was not unusual during periods without a controversial issue for the House to tackle. "If there is a controversial issue, there is pork and there is even dessert," Nueva Ecija Rep. Edno Joson reportedly said. It was an obvious reference to the congressional pork barrel, whose release for lawmakers' pet projects is at the mercy of Malacañang. Other congressmen have said in the past that money flowed during voting for matters such as impeachments or resolutions on Charter change.

Congressmen may argue that they are busy touching base with their constituents. But the campaign period is still months away, and Congress still has several measures to tackle, including bills certified as urgent by the



President. Deliberations on the 2010 budget alone could last until Christmas. Perhaps both Malacañang and Congress are again aiming for a re-enacted budget, which facilitates the classification of certain items as "savings" that can be realigned for campaign purposes. The President should remind her rubber stamp that there's still much to do before congressmen can abandon legislation and switch to full campaign mode. (www.philstar.com) ■

Reckless Killers

Accidents happen, but this is cold comfort for overseas worker Jemel Bayobo. The seaman arrived at the NAlA from abroad last Monday, expecting to see his family. Instead he was greeted by the news that his wife, young daughter and mother-in-law had died in an accident near midnight Sunday in Lucena City on their way to Manila to meet him.

The three were seated on the left side of a Manila-bound Bragais Line bus when it was struck by a Lucena Lines bus that came barreling down from the opposite lane as the driver tried to overtake another vehicle. The impact ripped away the left portion of the chassis of the Manila-bound bus, killing seven passengers and an alternate bus driver. A ninth passenger died later. The Lucena Bus driver fled but surrendered hours later.

If not for the high death toll, this story would have been buried in the daily menu of bad news in this country. Such vehicular accidents continue to occur frequently. After a series of deadly accidents in winding mountain

roads involving speeding buses, jeepneys and trucks, drug testing became mandatory for obtaining a driver's license amid reports that drivers were taking shabu to stay awake on long-haul trips.

The accidents are not confined to highways where speeding is common. Passengers and pedestrians are also killed or maimed by reckless drivers even in Metro Manila. Some of the most undisciplined drivers ply the streets of Metro Manila, and transport operators must share the blame. Apart from failing to discipline their drivers, transport operators typically pay public utility drivers depending on the number of passengers they can get. This is why buses and jeepneys linger in crowded areas, blocking even the widest thoroughfares as they wait for passengers. This has also made it impossible to maintain an orderly and regular schedule of arrivals and departures of buses and jeepneys at designated stops, as is done in many countries.

The mass transportation industry needs discipline and a major overhaul. Accidents happen, but there are ways of reducing the risks of their occurrence. Recklessness and negligence, which lead to accidents, must be curbed. (www.philstar.com) ■

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LEGISLATIVE CONNECTION

The Health Care Debate – A Must-Do Proposition (Part Two)



by Senator Will ESPERO

"On the day of 9/11, the only people running UP-STAIRS in the burning towers to rescue people, were from the government." Governor Ed Rendell

The government does many things very well, contrary to long-standing neoconservative efforts to have people think otherwise. As Hardball host Chris Matthews reminded us, when the issue of fluoridating water to prevent cavities was debated, those who were against it argued vehemently that fluoride was a chemical used for mind control. As silly as that was, that irrationality has resurfaced in the vocal citizens whose shouting and threats of violence at town hall meetings across the country are preventing rational discussion of the critical issue of access to affordable care.

What should be a civil, intel-

ligent debate on how we can resolve the rocketing costs and improving access to needed medical care, has been usurped by misrepresentation and distortion from corporations with a great deal to lose. MSNBC recently reported statistics that explain why these corporations do not want reform. Under the "free market" approach of the Bush administration, health industry profits rose from \$2 billion in 2000 to more than \$12 billion in 2007. There was a 24% increase in uninsured persons as tens of thousands saw their policies canceled, from 35 million to more than 46 million. Premiums escalated significantly and covered persons saw their benefits decline. Health company CEOs earned an average \$11 million each. One CEO took home over \$100,000 an hour, and each of the 9 bedrooms in his three mansions cost about \$87,000. (This same "free market/no government regulation" approach under the previous administration, ironically, resulted in the largest government intervention in history: the \$700 billion bailout of our financial institutions.)

Health care reform is needed because of how these billions in profits were made. Coverage eligibility was restricted; those with pre-existing conditions were deemed ineligible. Patients who had faithfully paid their premiums saw their insurance canceled because they needed medical care. Treatment was denied because it was not a "covered benefit," was not "medically unnecessary," or exceeded a cap. "Covered benefits" were restricted. Payments to physicians saw declines. Under the plans in Congress, these denial of care tactics will be eliminated. Doctors and patients alike stand to gain from health care reform.

The federal government has been superbly successful at a large number of things, up to the point where loud protestors get government to cut off funding, only to then point to the decline as evidence of the superiority of free markets. Markets do some things very well: they concentrate capital, test businesses through competition, promote energetic investment and speculation, and generate wealth. But many services – such as health care –

would decline or vanish, or actually have suffered under the marketplace. The role of government is to provide for the general well-being of its people. The health care industry has successfully used

its influence, ads, and scare tactics in the past to kill reforms that would provide Americans the care they need. The scariest thing is not doing anything. We need to remember all the government-provided services that make our lives as comfortable as they are, trust in government, and get reform passed now. ■

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FEATURE

Of Cory and Tech-Savvy Filipino Youth

by Gregory Bren GARCIA

Not even the Aquino family expected the unstoppable torrent of love and grief following the passing of Corazon Aquino, former Philippine president and the country's guardian of democracy, after a yearlong struggle with colon cancer.

In an unprecedented move, the Catholic Archdiocese of Manila welcomed the remains of the beloved leader to lie in state at the Manila Cathedral, an honor reserved only for the Archbishops of Manila. When it was time to send her off to her final rest, scores of thousands of people walked with her cortege, chanting a thunderous din of "Cory!" "Cory!" "Cory!"

Along the 14-mile stretch of road from the ancient basilica to the Manila Memorial Cemetery, yellow confetti showered and people flashed the "laban" (fight) sign by holding their thumbs and forefingers at right angles, reminding the People Power Revolution 23 years ago, when Aquino first ascended to power following the ousting of Ferdinand Marcos' authoritarian regime.

TRIBUTES AND "TWIBBONS" FOR CORY

However, the show of support for the former president did not end in the streets. Thousands also used the Internet as a venue to bid farewell to Aquino, whom Filipinos fondly call "Tita Cory" (Auntie Cory). Filipinos, both within the country and everywhere else in the world, showed their support by posting tributes on social networking sites.

Youtube users put up videos honoring the former president by documenting her life and legacy, whereas bloggers composed poetic eulogies for Aquino. Users of Facebook and Twitter, on the other hand, superimposed the "laban" sign and yellow ribbons, popularly known as "twibbons," on their profile photos. The tying of yellow ribbons, Aquino's favorite color, was adopted by her supporters who defied Marcos' dictatorship during the 1980s.

Filipino players of the popular Mafia Wars game on Facebook also posted their condolences online and shot 21-gun salutes with their virtual firearms for Aquino to coincide with the Armed Forces of the Philippines' real-life 21-gun salutes all over the Philippines.

Observers were amazed, from the Philippine media and even those from within the ranks of the current controversial government. Young Filipinos are clearly vigilant; they are watching, and they wield a great power within their hands.

A POWERFUL AGENT OF CHANGE

According to Efrén Peñaflorida Jr., Filipino youth leader and one of Cable News Network's (CNN) Heroes for 2009, the tremendous outpouring of support for Aquino shows the Filipino people's yearning for a true and honest leader.

"A lot of people believed in her not just because of what she did (for the country) but also because of who she was—an ordinary woman, a plain housewife and a hero who exemplified the true sense of selflessness, integrity and love for the country and freedom," he says.

Peñaflorida adds that Filipino youth and young adults have shown they are ready, willing and able to use the Internet to bring about social change.

"This innovation allows easy access to things that can be used positively to effect social change. If the youth and young adults feel that an issue is worth their while and action is required of them, I believe they will gladly participate," he says.

Andrea Claire Adajar, a media professional from Manila, also believes that the rise of the many social networking sites such as Facebook, Twitter, Yahoo Messenger and Plurk have changed the landscape of social opinion in the Philippines.

"These sites encourage people to become more expressive and connected with one another. One's large network creates an opportunity for opinion sharing and it provides exposure to different perspectives. Exchange of ideas and opinions is readily available. With this, one becomes more open to new information that may help influence opinion," she says.

Adajar adds that the kind of cooperation in the Internet seen during Aquino's demise demonstrates the power of this media to transform society.

"Finding people with similar interests or backgrounds can aid in rousing the need to be involved. When used properly, the Internet is a powerful tool to elicit support for any cause or advocacy we want to advance," she says.

MODERN MEDIA VS. CORRUPT INSTITUTIONS

The reality is that proponents and users of the Internet and other modern media are increasingly becoming more involved with bringing about change where it is needed most. In May 2009, Philippine media conglomerate ABS-CBN launched "Boto Mo, iPatrol



Mo: Ako ang Simula" (Your Vote, You Safeguard: I am the Beginning), a campaign which challenges Filipinos to participate in the shaping of the country's future by going beyond indifference and making a personal commitment for a clean and honest 2010 presidential elections.

The goal of "Ako ang Simula" is to empower ordinary citizens during the elections through the use of technology to protect their votes against fraud and violence, two elements which are often cited unavoidsable side-shows of Philippine elections. During the 2007 midterm senatorial elections, the "Boto Mo, iPatrol Mo" campaign was met with sensational responses. ABS-CBN reported that they received more than one message per minute through cell phone short message sending (SMS) messages which relayed accounts of election rigging and complaints about violence, even those coming from the remotest regions of the country. As a result, these grievances were brought before national attention, making politicians accountable for their actions.

This year, ABS-CBN took "Boto Mo iPatrol Mo" further by preparing a multichannel platform involving the Internet, the local television, radio, cable TV and mobile phone technology so people can push for even more change.

Maria Ressa, former CNN journalist and present ABS-CBN News and Current Affairs Head, says that the principle behind "Ako ang Simula" borrows heavily from Malcolm Gladwell's idea of "The Tipping Point."

"You are powerful. You will make a difference. If we all come together now, we will reach the tipping point when change becomes inevitable and irreversible," Ressa wrote in an ABS-CBN article.

Another advocacy campaign which uses multichannel technologies to spread hope among Filipinos is the "Ako Mismo" (I Begin with Me) campaign, undertaken by different private and non-government institutions in the Philippines. It advocates young people and Filipinos in general to take a stand for causes they believe in. It can be any one of the challenges the Philippines is currently facing like corruption, poverty, illiteracy, illegal

drugs, prostitution and many others, "to give more hope for Filipinos to stop merely surviving, and start living."

CHANGING THE WORLD

The phenomenon of effecting social change through technology happens everyday in other parts of the world. In June 2009, a group of Iranian bloggers issued a statement condemning what it called a "repressive and violent" treatment of the Iranian government against the people's "peaceful demonstrations." The European Union and other western states have previously expressed concerns about the alleged irregularities during the elections, which saw the defeat of reformist politician Mir-Hossein Mousavi to incumbent president, Mahmoud Ahmadinejad.

Even presidential candidate Barack Obama received popular support from young Americans during his presidential campaign. His "Yes We Can" speech, independently set to a music video by different artists, reportedly received some 10 million hits on Youtube in the first month of its publication. Currently, the video has received more than 18.7 million hits.

Los Angeles-based American filmmaker and self-proclaimed "netizen" (Internet citizen) Travis Kraft, says that today's young adults are well aware of the far-reaching effects of the Internet.

"I think young people know that you can achieve a lot through using the Internet. The Internet is the future," he says.

However, it is also said that the Internet is merely a tool for social change. Young people achieve great things through this media because a good number of them simply do what they need to do—the right thing. It is an idea to which Kraft, a Youtube enthusiast, subscribes.

"I think it is important for people to always do their best to do the right thing. Most of the time, the right thing is not the easy thing to do. I am as guilty as anybody else of sometimes not always doing the good thing but we always must try our best," he says.

Peñaflorida shares the same thoughts, saying that young people must learn to take responsibility for their actions.

"We must be participants in building a better future for the next generations. We must start being accountable while we're young," he says.

Adajar also acknowledges the idea that the collective strength and spirit of young individuals is the energy that will truly empower change.

"The involvement of the youth in changing Philippine society is important because it can be a powerful force. Their energy and wealth of fresh ideas can help in improving the current dire situation of the country. It is important that they work for change because it will help in ensuring a better future for them and the next generations," she says.

Indeed, thanks to all these technological advances, Filipino youth can carry on the legacy of Cory Aquino and continue protecting the democracy which she fought for a quarter of a century ago. As for the rest of the world, it is but inevitable that the multi-faceted communication channels will continue to develop and restructure the milieu of social opinion and of social reality itself. ■

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HAWAII-FILIPINO NEWS

Two Hawaii Residents to Receive TOFA Award

MAUI COUNTY COUNCIL CHAIRMAN DANNY MATEO and Filipino radio founder Imelda Collado Ortega Anderson are among the recipients of the Twenty 20 Outstanding Filipinos Abroad (TOFA) Award. The awards will be presented at the TOFA Grand Gala Banquet & Ball, scheduled for August 29, 2009 in Washington, DC.

The TOFA Award is given annually by Filipino Image Magazine, Pinoy Global Online News, and the Roxanne Andrea Mendoza Memorial Foundation. The

awards were first given in 1990 and have been annually commended by the governments of the U.S., Canada and the Philippines.

In a letter to TOFA organizers, Philippine president Gloria Macapagal-Arroyo congratulated the winners.

"They epitomize the Filipino's drive for excellence wherever they work and live," she says. "May they continue to inspire Filipinos abroad and back home to strive for the best in whatever they do."

Mateo holds the distinction as the first councilmember of Filipino descent to be elected as Maui County Council chairman. He and colleague Joe Pontanilla are the two Filipinos currently serving on the County Council.

Mateo's father emigrated from Laoag City, Philippines, to Maui in 1929, where he worked on the sugarcane plantations for \$20 per month. The eighth of nine children, Mateo learned from his father the value of hard work, honesty and faith in God.

His political career began in

1997 when he began working as executive assistant to then Maui County Council Chair Patrick Kawano. When Kawano passed away in 2002, Mateo was appointed to fill the vacant council seat. The community then elected him to the seat a few years later. So far, Mateo has been elected to four successive two-year terms.

In 2007, Anderson was crowned Mrs. Hawaii Filipina by the United Filipino Council of Hawaii. She is the founder of "Pinoy Power," one of the most popular Filipino radio programs in Hawaii.

She is actively involved with organizations that help missionaries worldwide feed malnourished children. In 2007, she also helped to establish scholarships for street children in Ilocos Norte.

At age 10, Anderson and her family emigrated from Laoag City in the Philippines to Lanai. She graduated with honors from Lanai High School and earned degrees in Hotel Management and Business Administration from Cannon's International Business College. She is married with three children. ■

City Launches Phase 3 of Curbside Recycling Program

DURING THE NEXT NINE WEEKS, approximately 22,400 households along the Windward coast and in urban Honolulu will begin receiving recycling bins from the City's Department of Environmental Services, which is launching Phase III of its island-wide curbside recycling program. Only homes currently on automated refuse collection will be receiving the carts.

Green and blue carts will be delivered to homes from Foster Village to Makiki. Residents from Kahuku to Kāhala will be issued only green carts since they already have blue carts. The City aims to have these communities ready by the week of the November 2.

Windward residents who cur-



rently use blue carts for green waste collection are advised to put those blue carts out for green waste pickup before the end of October to get them serviced. Doing so will facilitate the transition into the new system when blue carts will be exclusively used for mixed recyclables. These households can also start using their green carts for green waste as soon as the blues have been

emptied.

Honolulu residents, who currently have a bag collection system for green waste, cannot start using the green cart until the new three-cart collection system begins during the week of November 2, 2009. Instructional brochures will be attached to the outside of the recycling carts at delivery. Residents are encouraged to read the materials before calling the Refuse Division.

By May 2010, the City will expand curbside recycling to include residents from Makakilo to Waikale, Waipahu, Ewa Beach to West Loch; and Honokai Hale to Makua.

For additional information, go to www.opata.org or call 768-3200. ■

Free Health Tests at Annual Kalihi Community Fair

VOLUNTEER PHYSICIANS, NURSES AND OTHER health care professionals will be providing free health tests and screenings at the 26th Annual Kalihi Community Health Fair, scheduled for Saturday, September 19, 2009 at the Susannah Wesley Community Center.

Although the public is invited, the event is mainly for those in the "gap group"—the poor, immigrants, uninsured and others who cannot afford basic medical services.

The Kalihi Community Health Fair was first organized in 1983 by the Filipino Catholic Club of St. Anthony's Church in Kalihi and Dr. Erlinda Cachola, a medical internist. Both have been the driving force behind his very worthwhile event.

"This is our way of giving back to the residents of Kalihi and neighboring communities," she says. "The patient load and community participation is much greater now when we first started. But what hasn't changed is the need to help everyone, especially those who otherwise would go without basic medical care. That's the reason we do this year after year."

is a Philippine or U.S. Citizen."

The VA estimates that there are about 18,000 remaining Filipino veterans out of the 250,000 who served during World War II. About 500 of the estimated 1,200 Filipino veterans living in Hawaii have filed claims—with only eight

Attendees will receive a variety of free medical services, including tests for high blood pressure, kidney disease, cataracts, glaucoma, thyroid, as well as breast, colo-rectal, prostate, podiatry, dental and chiropractic exams. Patients with extensive medical needs will be referred to the appropriate physicians.

"We encourage everyone to take advantage of the free medical services that will be offered," says Dr. Cachola. "I'd also like to thank the many sponsors who help make this event possible year after year."

This year's sponsors include Aloha Care; Association of Filipino Dentists of Hawaii; Bayanihan Clinic Without Walls; Clinical Laboratories; Evercare; Filipino Catholic Clubs of St. Anthony's Kalihi; HMSA; St. John's and Our Lady of the Mount; Hawaii Filipino Healthcare; Hawaii Medical Center; Kalakaua Lions; Kalihi Palama Medical Center; National Kidney Foundation; Ohana Chiropractic; Philippine Medical Association of Hawaii and Straub Clinic. ■

receiving their payments. Abercrombie says 30 Hawaii Filipino veterans have died without receiving their compensation since the legislation was approved.

Abercrombie said he will continue pushing for a faster, simpler process. ■

Abercrombie Searches for Solutions to Help Filipino Veterans

U.S. REP. NEIL ABERCROMBIE conferred with Secretary of Veterans Affairs Eric Shinseki during a recent visit to the Spark Matsunaga VA Medical Center regarding the plight of Filipino veterans who have yet to receive promised compensation for their World War II military service.

The Filipino Vets were mem-

bers of the Philippine Commonwealth Army and Philippine Scouts called into service with U.S. armed forces at the outset of World War II and promised the same benefits as U.S. soldiers. Abercrombie worked with the Hawaii Delegation to provide a one-time payment to Filipino Vets in the Economic Stimulus bill passed by Congress in

February 2009. Filipino Vets who are U.S. Citizens get \$15,000 while Filipino Citizens get \$9,000.

"Secretary Shinseki and I discussed a way to speed up the process, including the hiring of additional claims processors and creation of separate procedures for Filipino Vets who are U.S. Citizens," Rep. Abercrombie says. "The VA has only two people to process the more than 30,000 claims submitted to date. All claims are processed in a VA office in Manila, whether the veteran

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IMMIGRATION GUIDE

Conditional Resident Status for Alien Spouse and How to Remove It



by Atty. Emmanuel Samonte TIPON

In the bad old days, when an alien married a U.S. citizen, the alien got an unconditional green card, and could abandon the petitioner the next day, leaving the petitioner hanging or "bitin". Remember the 1941 movie "Hold Back the Dawn" starring Olivia de Havilland and Charles Boyer? You weren't born yet?

To stop sham marriages, Congress enacted the Immigration Marriage Fraud Amendments Act of 1986 (IMFA) on November 6, 1986. INA § 216, 8 USC § 1186a.

CONDITIONAL BASIS FOR STATUS

Under IMFA, an "alien spouse" who obtained the status of an alien lawfully admitted for permanent residence by virtue of a marriage contracted less than 24 months before the date of admission is considered to have obtained such status on a conditional basis.

A conditional resident's "green card" carries the symbol "CR1" and indicates a 2 year expiry date from admission/adjustment of status.

PETITION FOR REMOVAL OF CONDITION

The alien spouse and the petitioner (if not deceased) jointly must file with USCIS a petition (Form I-751) requesting removal

of the conditional basis, stating the facts required by INA § 216 (d)(1) [8 USC § 1186a(d)(1)], and containing a:

- (A) Statement that (i) the qualifying marriage (I) was entered into in accordance with the law of the place where the marriage took place, (ii) has not been judicially annulled or terminated, other than through the death of a spouse, and (iii) was not entered into for the purpose of procuring an alien's admission as an immigrant, and (ii) no fee or other consideration was given for the filing of a petition, other than a fee to an attorney for preparing the petition.
- (B) Statement of (i) the actual residence of each party to the qualifying marriage since the date the alien spouse obtained permanent resident status, and (ii) each party's employer and address since such date.

The petition must be accompanied by the proper fee and supporting documents showing a valid marriage, such as: (1) joint ownership of property, (2) lease showing joint tenancy, (3) commingling of finances, (4) birth certificates of children, (5) affidavits of third parties, and (6) other documentation. 8 CFR § 216.4(a)(5), 1216.4(a)(5).

PERIOD FOR FILING PETITION

The petition must be filed within 90 days of the second anniversary of the alien's obtaining the status of a lawful permanent resident. If filed after such date, the alien must establish good cause

and extenuating circumstances.

INTERVIEW AND APPROVAL

The alien and the petitioner (if not deceased) must appear on the date specified in the notice for interview, although the Attorney General may waive the deadline or the interview as he deems appropriate. The condition will be removed and the alien given permanent residence status if they pass the interview and meet the requirements for removing the condition.

TERMINATION OF STATUS

The conditional residence will be terminated if:

- (1) The Attorney General determines before the second anniversary of the alien's obtaining the status of lawful admission for permanent residence that:
 - (A) the qualifying marriage -- (i) was entered into for the purpose of procuring such alien's admission as an immigrant, or (ii) has been judicially annulled or terminated, other than through the death of a spouse, or
 - (B) a fee or other consideration was given for the filing of a petition, other than to an attorney for assistance in preparing

the petition. (INA § 216(b)(1))

- (2) (A) no joint petition to remove the condition is filed within the 90-day period, or (B) the alien spouse and the petitioning spouse fail to appear for an interview on the scheduled date, unless the alien spouse applies for a waiver of the joint filing requirement. (INA § 216(c)(2))

REVIEW IN REMOVAL PROCEEDINGS

When a conditional residence is terminated for failure to meet the requirements of law, USCIS will place the alien in removal proceedings. The alien may ask the Immigration Judge to review the USCIS determination or for permission to file the petition.

The burden of proof shall be on the Attorney General where the status is terminated under INA § 216(b)(1), and on the alien where the status is terminated under INA § 216(c)(2).

WAIVER

The Attorney General may remove the conditional basis of the permanent resident status for an alien who fails to meet the requirements of INA § 216 (C)(1) if the alien demonstrates that:

- (A) extreme hardship would result if such alien is removed,
- (B) the marriage was entered into in good faith by the alien spouse, but the marriage has been terminated (other than through the death of the spouse) and the alien was not at fault in failing to meet the requirements of INA § 216 (C)(1), or
- (C) the marriage was entered into in good faith by the alien spouse and during the marriage the alien was battered or was the subject of extreme cruelty by the spouse and the alien was not at fault in failing to meet the requirements of INA § 216 (C)(1). (INA § 216 (C)(4)). ■

(ATTY. TIPON is from Laoag City, Philippines. He holds a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from U.P. He is admitted to practice law before the U.S. Supreme Court, other U.S. Courts, and Philippine courts. He handles cases throughout the U.S. and the Philippines. He specializes in immigration law and criminal defense. Office: 905 Unti St., Suite 201, Honolulu, HI 96819. Tel. (808) 847-1501. E-mail: filamlaw@yahoo.com. Website: www.immigrationServicesUSA.com. Listen to his very interesting, useful, and humorous program "Immigration X Files" on KN2I Hawaii radio 1270 AM on the dial every Friday 7:30-8:00 am. This article is for general information only. It is not legal advice. It may not be cited as an authority.)



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PHILIPPINE NEWS FEATURE

'No Work, No Pork' Eyed at House

by Jess DIAZ /
Wednesday, August 26, 2009

MANILA, Philippines - If there is a no-work, no-pay policy for private sector workers, there should be a no-work, no-pork rule for absentee members of the House of Representatives.

Nueva Ecija Rep. Edno Joson made the suggestion yesterday to curb absenteeism, which has started to afflict congressmen again.

"If pork barrel fund releases of absentees are withheld, maybe they will be forced to attend sessions," Joson told reporters yesterday.

But he said such threats do not have to be made on lawmakers "since we have to be conscientious in doing our duties, one of which is to attend our sessions."

"The Constitution commands us to be honest and diligent in doing our job," he said.

Speaker Prospero Nograles, on the other hand, said he could not adopt Joson's suggestion.

"Projects are the entitlements of the legislative districts and not a personal property of the congressman or woman who merely represents the district," Nograles said.

"Our only role is to identify projects. We can't waive the entitlements of our constituents by absenteeism, laziness, tardiness, or the like," he said.



Rep. Edno Joson

Joson is one of few House members who make it a point to be present in all sessions and to sit through them until adjournment.

Others include Representatives Rollo Golez of Parañaque City and Carlos Padilla of Nueva Vizcaya, along with some militant party-list members.

In contrast, many of the newly proclaimed party-list representatives have often been absent.

Five of them joined President Arroyo's visit to the United States late last month until the first week of August after barely warning their seats.

They are Rodante Marcoleta of Alagad; Catalina Leonen-Pizarro of Arts, Business and Science Professionals; Daryl Grace Abayon of Aangal Tayo; Agapito Guaniao of

Butili, and Godofredo Arzuiza of Senior Citizens.

Guaniao and Arzuiza brought along their wives. Marcoleta left with the presidential entourage on his first working day, having taken his oath of office just the night before.

After the 30-member congressional delegation, including Senators Miriam Defensor-Santiago and Lilo Lapid, that accompanied Mrs. Arroyo returned on Aug. 5, the House has been mostly on vacation due to lack of quorum.

It mustered a quorum only on Aug. 12 and last Monday. Nograles called his colleagues to a caucus yesterday afternoon to discuss the recurrent problem of absenteeism.

In the past, absentees were threatened with pay and pork barrel fund cuts. There was also a shame campaign plan that called for the publication of the names of absentees in newspapers of national circulation. But none of these materialized.

Among House members be-

lieved to have the most number of absences are the President's favorite congressional companions whenever she travels abroad, including Deputy Speaker Amelita Villorosa and Representatives Martin Romualdez of Leyte, Danilo Suarez of Quezon, Rachel Arenas of Pangasinan, and Hermilando Mandanas of Batangas.

It was Romualdez and Suarez who reportedly paid \$35,000 for two expensive dinners Mrs. Arroyo and her large group enjoyed in Washington and New York City during the President's latest US visit. (www.philstar.com) ■

PHILIPPINE NEWS

GMA Trips Justified

by Paolo ROMERO /
Thursday, August 27, 2009

MANILA, Philippines - MALACANANG JUSTIFIED YESTERDAY THE FORTHCOMING TRIPS of President Arroyo to London, Saudi Arabia and New York amid lingering criticisms on the cost and necessity of such foreign travels.

Mrs. Arroyo is scheduled to visit London, Riyadh in Saudi Arabia and New York, all upon invitation, Executive Secretary Eduardo Ermita said in a news briefing at the Palace yesterday.

Ermita said the President's London visit was upon the invita-



tion of the prestigious international magazine The Economist

to deliver a speech before business leaders, members of the academe and other experts.

The trip to Saudi Arabia is a state visit after she was invited by King Abdullah bin Abdulaziz Al Saud, he said. He pointed out that there are about 1.5 million Filipino workers in the oil-rich kingdom in the Middle East, giving Mrs. Arroyo another chance to pitch for their welfare before the Saudi monarch.

Meanwhile, the US embassy in Manila said yesterday no formal meeting has been arranged between Obama and President Arroyo in New York but the two leaders may have a chance meeting if both will attend the UN General Assembly. (www.philstar.com) ■

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PHILIPPINE NEWS

Ramos to GMA: Make Up for Your Shortcomings

by Paolo ROMERO /
Tuesday, August 25, 2009

MANILA, Philippines - REFORM, PERFORMANCE, AND TRANSFORM.

Former President Fidel Ramos urged President Arroyo to make up for her shortcomings in governing the nation in her remaining 10 months in office as the country "is worse now than before."

Ramos also appealed to political leaders, especially those seeking the presidency, to be less concerned with their ambitions and help prevent the deterioration of the quality of life of Filipinos and the country's image before the international community.

He said unlike leaders of other countries, Mrs. Arroyo is not only the head of government, but also the head of state and the commander-in-chief.

He said it would be better if the president and other leaders "would reform, perform and transform."

"There's something that happened since 2001 (when Mrs. Arroyo was installed into power) and you saw how much support we can generate for the president but during July 2005...things have changed in terms of overall goodwill and there are many question marks, so com-

paratively we are much worse now," Ramos told a news conference in his office in Makati City.

He said the country now ranks 93rd in terms of the Human Development Index of the United Nations and is even below Fiji and Samoa.

He also noted the Arroyo administration has neglected to address the runaway population growth in the country.

Ramos said the Philippines has been subject of editorials of major newspapers, including the International Herald Tribune, on how it has failed to reap the fruits of people power.

"They (foreign media) are talking about wasted opportunities... especially during the last eight years," he said.

"It's not too late in the day to reform, perform and transform," he said. "She is the one steering the country and she should set the example for her allies and political leaders but also for ordinary citizens."

He said Mrs. Arroyo was being hounded by the "Hello, Garci" scandal.

Ramos said since his retirement from the presidency in 1998, he has remained active in promoting the Philippines abroad at no ex-



Former President Fidel V. Ramos

pense to the government. After every foreign trip, he has submitted recommendations to Mrs. Arroyo and apparently they have all been ignored.

He said one thing the president could do is to convene the Legislative-Executive Development Advisory Council to enable the country's leaders to work in a single direction.

He likened the country's difficulties as serious problems confronting a family that should have a meeting of all members to resolve the situation.

WARNING ON CONGRESS SEAT

Ramos also warned Mrs. Arroyo that having a seat in Congress would not give her immunity from

possible lawsuits and investigations that may be lodged against her when she steps down from the presidency 10 months from now.

He suggested instead that Mrs. Arroyo "face the music" as he did in the past and be secure in her decisions and judgments that may be questioned or become the basis of any investigation against her.

He said he is giving the advice in the context of reports coming from her allies and relatives that she might opt to run for a congressional seat in the second district in her home province of Pangasinan which, he said, she has yet to categorically deny or confirm.

The reports are fueled by her frequent visits to Pangasinan.

Yesterday, she made her 24th visit to the province and inaugurated projects in her hometown of Lubao.

Ramos said he does "not see any advantage to be gained" by running and winning a seat in Congress.

"What is that immunity that she is running after? It is as if that immunity is very powerful."

"The advice I can give at this time, if anyone is being fearful...is just to face the music," he said.

He said he faced congress-

sional investigations on various alleged irregularities and scams during his presidency shortly after he stepped down from office in 1998 and emerged unscathed and was vindicated.

He pointed out that no public official is totally immune from any wrongdoing, adding that presidents or prime ministers can still be brought down if they are non-performing or abusive.

He also recalled that he was the only former Chief Executive who appeared before investigations into the alleged anomalies in the Smokey Mountain project in 2006 with the late former President Corason Aquino and Estrada were invited.

"If you have done your best while in the position as president of the country and made your best judgment at that time, you can be prepared to defend yourself in any court of law or investigative body," Ramos said.

He reiterated his call to Mrs. Arroyo to clarify bare her political plans, if any, in the coming months.

He pointed out that she has not categorically denied or confirmed that she is running for a congressional seat. (www.philstar.com) ■

Miriam Wants 'Thick-skinned' Cabinet 'Rhinos' Shot on Sight

by Donnabelle GATDULA /
Tuesday, August 18, 2009

MANILA, Philippines - SEN. MIRIAM DEFENSOR-SANTIAGO likened to "thick-skinned rhinoceros" the Cabinet members and other executive officials who spent about P218 million in public funds and still unaccounted monetary contributions from private friends for their inferomerals.

"They are all thick-skinned and should be shot on sight," said Santiago, a sharpshooter.

At the start of her privilege speech, Santiago defined a rhinoceros as a large, powerful, herbivorous, thick-skinned "perissodactyl mammal with two horns."

"Thus, a rhinoceros is a template for Cabinet members and other executive officials who use public funds, or gifts from so-called friends, to campaign for next year's elections," Santiago said.

In her speech, Santiago revealed that in 2009 alone, government officials spent public funds for their candidacies amounting to P100 million. In 2008, certain Cabinet officials and executive officials spent up to P118 million, totaling to P218 million from 2008 to the present.

"Gentlemen of the Cabinet, how do you explain the timing of your highly-paid TV inferomerals? ...Bakit ngayon lang palapit na ang halalan (Why only now when

elections are nearing)?" Santiago said. "Timing is a dead giveaway."

Santiago, head of the economic affairs committee, cited figures from the Commission on Audit (COA) showing that Technical Education and Skills Development Authority (TESDA) chairman Augusto Syjuco spent P28.3 million for 2008 and P22.5 million for 2009; Makati Mayor Jejomar Binay, P23.4 million (2008) and P23.4 million (2009); Vice President Noli de Castro P18.1 million (2008) and P18.1 million (2009); Philippine Gaming Corp. (Pagcor) chairman Efraim Genuino, P14.1 million (2008) and P14.1 million (2009); Health Secretary Francisco Duque P13.2 million (2008)



Sen. Miriam Defensor-Santiago

and P3.3 million (2009); MMDA chairman Bayani Fernando, P7.4 million (2008) and P6.4 million (2009); Education Secretary Jesli Lapus, P5.7 million (2008) and P5.7 million (2009); Public Works Secretary Hermogenes Ebdane P3.8 million (2008) and P3.8 million (2009); Agrarian Reform Secretary Nasser Pangandaman, P2.4 million (2008) and P2.4 million (2009); and Interior Secretary Ronaldo Puno P 0.9 million (2008) and P240 million (2009).

"These executive officials can expect to stay in office until the end of November, the deadline for filing certificates of candidacy, when they will be considered resigned. Thus, unless we in the Senate will warn them to stop using public funds, they are likely to intensify their inferomerals, and it would be likely that they will incur more expenses, maybe another P100 million," Santiago said.

She also mentioned the ads of Defense Secretary Gilbert Teodoro and Finance Secretary

Margarito Teves.

Santiago added that the "total greed and abuse" of officials might then reach a grand total of P218 million alone used for electioneering.

"One small step to the Senate, a giant leap to greed and abuse. *Ganid at abusado ang mga ito!*" said Santiago.

She also asked if it was necessary for Duque to do the advertisements when there was no contagious disease and added: "Or has he become the contagious disease?"

Santiago particularly cited Puno, whom Santiago accused of charging to DILG funds media greetings on certain occasions, including the President and his (Puno's) own birthday greetings and the anniversary of a newspaper.

"He greeted himself! These cabinet (officials) should be shot. He even attacks me through his column. He thinks I'm running after him... Why should I? I am married to one of the handsome men in the country," Santiago said.

She also criticized Syjuco for even dancing in his commercials, noting that the COA has declared as unnecessary the advertising expenses in the sum of P12.3 million on Feb. 27, 2008; P21.12 million on March 12, 2008 and P18.4 million on June 24, 2009.

In the three instances COA warned him, she said, noting that the ad with singer-actress Sarah Geronimo cost the taxpayers P8.3 million. (www.philstar.com) ■

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Lawmakers to Prepare Bill Amending Omnibus Election Code

by Sheila CRISOSTOMO /
Tuesday, August 25, 2009

MANILA, Philippines - SEN. RICHARD GORDON AND MAKATI REP. TEODORO LOCSIN JR. have agreed to sponsor a bill in Congress seeking to remove withdrawal as a ground for the substitution of a candidate.

Chairman Jose Melo of the Commission on Elections (Comelec) hoped that the bill would be passed in time for next year's elections.

"With this, there'll be no substitution of candidates except in case of death or disqualification," Melo said.

"But the vote for the substituted candidate shall be a vote for the substitute."

Melo said substitution under existing law could not be done if next year's elections are automated because the machines will not recognize handwriting.

The precinct count optical scan machines will read only the ovals shaded by voters, he added.

Substitution of candidates happened in the 2007 elections when actor Cesar Montano took over from Jericho Petilla who withdrew as an administration senatorial candidate.

Under the Omnibus Election Code, substitution of candidates is allowed in case of death, disqualification and withdrawal.

The law allows a substitute candidate duly nominated by the political party concerned to file his or certificate of candidacy not later than mid-day of election day.

BINAY WANTS POLL CODE REVIEWED

Makati Mayor Jejomar Binay asked the Comelec yesterday to release the automated election source code for review to prevent "automated cheating" in next year's elections.

"The source code must be reviewed independently before the supplier begins producing the counting machines," he said.

"Otherwise, it will just be a useless exercise since the machines have been programmed and there will be no way to probe the code for vulnerability."

Binay, United Opposition (UNO) president, said the automated election source code must be reviewed by independent computer experts before Smartmatic-TIM begins manufacturing the 82,000 counting machines for the 2010 elections.



(L-R) Sen. Dick Gordon and Cong. Teddy Boy Locsin, Jr.

"Without the independent review being conducted before Smartmatic-TIM begins producing the counting machines, it will only be the Comelec and Smartmatic-TIM that will vouch for the integrity of the election results, and that is something that is really worrisome," he said.

Binay said Republic Act 9369 allows political parties and other interested groups to review the source code for the automated elections.

"A request by the Center for People Empowerment and Governance (CenPEG) for the release of the source code was approved by the poll body in a resolution issued in June," he said.

Quoting CenPEG, Binay said without a source code review, the integrity of the automated election system cannot be established.

It will likely enhance the po-

tential of internal rigging and wholesale automated cheating, he added.

Quoting Pablo Manalastas, CenPEG's IT consultant, Binay said the Comelec and Smartmatic-TIM are engaged in "delaying tactics."

"(This supports) our suspicion that the consortium may have only a binary-level license of the election programs, and our further suspicion that they do not have a source-level license, and so cannot produce the source code for

our review," Binay quoted Manalastas as saying.

Further quoting Manalastas, Binay said the Comelec is mandated by the election modernization law to release the source code immediately.

"Section 14 of RA 9369 reads: 'Once an AES technology is selected for implementation, the Commission shall promptly make the source code of that technology available and open to any interested political party or groups which may conduct their own review thereof,'" Binay said.

The Comelec's Terms of Reference (TOR) for the 2010 election mandates the poll body "to make the final source of the PCOS (precinct count optical scan) and CCS (consolidation canvassing system) and all of its components available and open to any interested party or groups which may conduct their own code review thereof," Binay said.

(www.philstar.com) ■

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Bishop Dissuades Spiritual Leaders from Running in 2010

by Dennis CARCAMO /
Tuesday, August 25, 2009



(L-R) JIL's Bro. Eddie Villanueva, El Shaddai's Bro. Mike Velarde, Priest-turned-Gov. Ed Panlilio

MANILA, Philippines -- AN OFFICIAL OF THE CATHOLIC BISHOPS' CONFERENCE OF THE PHILIPPINES (CBCP) has dissuaded religious leaders from running in the 2010 national elections, saying there are still qualified individuals of the laity.

Tagbilaran Bishop Leonardo Medroso, CBCP-Episcopal Commission on Canon Law chairman, appealed to several spiritual leaders not to pursue their presidential bids in the coming polls.

"Ang ating religious leaders sana huwag na silang pumasok pa sa pulitika dahil they have their own mission in life, ang mission in life nila ay magbigay ng vision of eternity, life of morality, kung ano talaga ang kailangan ng tao on his own moral life. Pero sa mga bagay na temporal orders ay ibigay natin yan sa mga lay faithful," Medroso said in an interview today (Aug. 24)

with the Church-run Radio Veritas.

The CBCP official was reacting to the declaration of Bro. Eddie Villanueva of the Jesus Is Lord Movement and Bro. Mike Velarde of El Shaddai to run for president next year.

Medroso also feared that the entry of the religious heads in the country could adversely affect government bureaucracy.

"Ang nakakatakot kung ang pari, ang mga religious leaders ay sita na ang mag-lead dyan, ang mahirap dyan we confused already the spiritual things and the temporal things," the bishop said.

Though there is really a need for a "moral renovation" in Philippine politics and society, Medroso said the role of spiritual leaders and advisers is to guide the lay people and faithful to "lead and live a moral life."

(www.philstar.com) ■

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PHILIPPINE NEWS

Obamas Get Healthy Fare from RP Chef

by Paolo ROMERO /
Tuesday, August 25, 2009

MANILA, Philippines - **FOR THE WHITE HOUSE CHEF**, serving homegrown vegetables straight from the garden is just like preparing food in her native Philippines - healthy and simple.

Filipino-American Cristeta Pasia-Comerford, the first woman and first minority to serve as the executive chef in the White House, credited the first lady for making sure her family eats steamed, organic vegetables from the garden Michelle Obama planted in April.

"Mrs. Obama is a very hands-on person when it comes... to knowing healthy meals for the



Cristeta Pasia-Comerford

family," Comerford told a news conference Monday in Manila.

She is one of three to be honored this year by the Bank of the Philippine Islands as an outstanding Filipino overseas. The honor will be formally awarded today.

The naturalized American

said that picking food from the garden reminds her of summers spent at her grandmother's house in the Philippines' Bulacan province.

"They like simple meals, they like simple food," she said of the first family.

The first lady had said earlier that she and Comerford shared a "perspective on the importance of healthy eating and healthy families."

The chef refused to answer specific questions about the Obamas' favorite foods and eating habits.

Comerford, who also served under former President George W. Bush, studied French cooking in Vienna, Austria, and specializes in ethnic and American cuisine.

(www.philstar.com) ■

Over 60 MILF Rebels Surrender in Lanao del Sur

by Paolo ROMERO /
Tuesday, August 25, 2009

COTABATO, Philippines (Xinhua) — **AT LEAST 60 MUSLIM GUERRILLAS** of the Moro Islamic Liberation Front (MILF) in Mindanao surrendered to the military over the weekend, an Army spokesman said today.

Major Randolph Cabangbang, regional military spokesman, said the returnees operating in the province of Lanao del Sur gave up their struggle for self-determination and vowed to help the peace and development program in the region.

The Army official said 50 high-powered firearms and sev-



eral rounds of assorted live ammunition were also surrendered by the returnees.

"They were accepted at a military camp in Maguindanao. Local officials helped in facilitating their surrender," Cabangbang said.

But Eid Kabaku, a rebel spokesman, told Xinhua by phone the rebels were not legitimate members of their organization.

"Some of them are even security escorts of local politicians," Kabaku said. (www.philstar.com) ■

Villar Tops Expanded Poll

by Helen FLORES /
Wednesday, August 26, 2009

MANILA, Philippines - **PULSE ASIA RELEASED YESTERDAY** the results of its latest non-commissioned survey that showed Sen. Manny Villar on top of the list of presidential aspirants for the 2010 elections.

The Pulse Asia's August 2009 "Ulit ng Bayan" national survey found that one in four adult Filipinos or 25 percent would pick Villar if the elections were held now.

Villar also topped the Social Weather Stations (SWS) survey for the second quarter of 2009 on presidential candidates, receiving 33 percent of votes of 1,500 respondents.

Pulse Asia's latest survey, conducted from July 28 to Aug.



Sen. Manny Villar

10, used face-to-face interviews with 1,800 adults, higher than the usual 1,200 respondents used by the survey firm. Pulse Asia's survey with more respondents has a lower margin of error.

The respondents were asked, "Of the people on the list, whom would you vote for as President of

the Philippines if the elections of 2010 were held today and they were presidential candidates?" The respondents were provided with 15 names of probable presidential candidates.

Pulse Asia's new survey showed former President Joseph Estrada and Vice President Noli De Castro in second place with 19 percent and 16 percent, respectively.

Senators Francis Escudero and Manuel Roxas II also scored double-digit presidential voter preferences of 12 percent and 11 percent, respectively.

Pulse Asia said the other individuals included in the presidential probe obtained voter preferences of six percent or less.

They were Sen. Loren Legarda (six percent), Makati Mayor Jejomar Binay (four percent), Metro Manila Development Authority chairman Bayani Fernando (one percent), Sen. Richard Gordon (one percent) and Jesus is Lord founder Bro. Eddie Villanueva (one percent).

The other presidential aspirants who received less than one percent of the respondents' votes were: Pampanga Gov. Ed Panlilio (0.4 percent), Chief Justice Reynato Puno (0.3 percent), Defense Secretary Gilbert Teodoro (0.2 percent), Olongapo City Councilor John Carlos "JC" de los Reyes of the Ang Kapatiran Party (0.1 percent) and environmentalist Nicano Perlas (zero).

Pulse Asia said one percent of the respondents provided other names not included in the survey. Three percent were undecided.

Pulse Asia said the August 2009 survey had 15 names while the May 2009 presidential probe included 16 individuals.

Pulse Asia said Villar made the only significant change (+11 percentage points) in the overall



2010 "Presidentiables"

presidential voter preferences between May and August 2009.

Estrada posted a marginal improvement in his overall voter preference (44 percentage points) while Escudero experienced a slight decline in the level of public support for his presidential bid (-5 percentage points), Pulse Asia said.

At present, two or more individuals share the lead across geographic areas and socio-demographic groupings, the survey firm said.

In Metro Manila, Villar is the most favored presidential bet (25 percent), with Escudero (22 percent) and Estrada (19 percent) close behind.

About the same percentages of those living in the rest of Luzon are supportive of Villar (22 percent), Estrada (19 percent), De Castro (16 percent), and Escudero (15 percent).

Among Visayans, Villar received the highest voter preference (30 percent), with De Castro (22 percent) in second place.

In Mindanao, Estrada and Villar received the highest voter preference at 26 percent.

In the best-off Class ABC, Escudero (30 percent) and Villar (28 percent) led the list of presidential candidates.

Those in the most numerous Class D are most supportive of Villar (25 percent) and Estrada (19 percent), while those in the poor-

est Class E are most inclined to vote for Villar (23 percent), Estrada (23 percent), and De Castro (22 percent).

Meanwhile, Villar said he is grateful for the people's continuing support for him.

Smarting from the attacks against him at the Senate over the C5 Road controversy, Villar said the Pulse Asia survey is proof of confidence in his ability to lead the country.

"I am thankful for the people's vote of confidence as shown in the latest Pulse Asia survey," Villar said.

Villar sees that this advantage over his rivals would propel their attacks against him.

"With this survey result, I expect our political rivals to continue with their attacks. But I am certain the people are discerning and are not easily swayed by obvious demotivation jobs against me," said Villar.

He said the attacks would not discourage him from doing what he started, especially for the improvement of the condition of the majority of Filipinos who are poor.

Escudero also welcomed the latest survey results. He said the people would judge all candidates during election day, and that those who got high ratings shouldn't get swell-headed, while those with low ratings shouldn't be devastated.

(www.philstar.com) ■

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LEGAL NOTES

Protecting Nonimmigrant Workers



by Reuben S.
SEGURITAN

Exploitation and abuse of non-immigrant workers in the U.S. are not uncommon. So in an effort to combat such mistreatment, the U.S. Department of State has recently released a guide that explains their rights in the workplace and how they can get help.

The guide emphasizes that nonimmigrant workers have the right to be treated and paid fairly; the right not to be held in a job against their will; the right to keep their passport and other identification documents in their possession; and the right to report

abuse without retaliation.

It encourages them to seek help from unions, immigrant and labor groups and other groups to seek justice in the U.S. courts. It provides them with a toll-free telephone number to call in case they are mistreated or if their rights are violated or if they are in immediate physical danger.

The nonimmigrants that are most vulnerable to abuse are the domestics, the agricultural and non-agricultural workers, the exchange visitors and the professionals.

Domestic workers usually work for diplomats (A-3 visa), representatives of international organizations (G-5 visa) and businessmen (B-1 visa). The guide states that their employers should provide them with employment contracts that comply with U.S. laws.

Their employment contract must include the following provisions: an agreement by the employer not to keep from them their

passport, employment contract or other personal property; an agreement by the employer to follow all U.S. laws; an explanation of salary and frequency of payment of salary; and a description of the work duties, weekly work hours, holidays, sick and vacation days.

To ensure that they will be protected, the U.S. Consular Officer will meet the visa applicants, review and confirm that the employment contract complies with U.S. law and make sure that the workers understood the terms and conditions of the contract before they signed it.

H-1B workers such as teachers, therapists, engineers and computer professionals perform services in specialty occupations. They are advised to read about their rights, particularly their ability to transfer or change employers under immigration guidelines.

H-2A Temporary agricultural workers must have a written contract describing the terms of their

employment not later than the first day of work. The document must give detailed information about the benefits, wages, free housing, duration of work and transportation costs.

Transportation costs from their country to their place of employment must be reimbursed if they complete half the contract period and transportation for their return trip home must be given after completion of their contract.

They should be guaranteed work for at least 3/4 of the number of workdays stated in the contract unless displaced by a U.S. worker during the first half of the contract period. They don't have to pay for a labor recruiter in their home country.

H-2 B temporary non-agricultural workers are entitled to payment at or above the prevailing wage and this applies whether they are paid hourly or by piece rate. They must also be provided transportation costs for their trip home if their work ends or they

are dismissed for business reasons unrelated to their job performance. They are entitled to terms and conditions of employment that are normal for similarly employed U.S. workers. Recruiters from their home country should not charge them.

J-1 exchange visitors are covered by their DS 2019 document that shows the category of the exchange program and its duration. The program must have a minimum duration of three weeks.

Those in the summer work travel program must be assisted by the sponsor in locating employment to ensure that they receive pay. For those in training and internship, a plan must provide a summary of the training objective and a stipend. The training must be at least 32 hours per week and must meet federal requirements. ■

REUBEN S. SEGURITAN has been practicing law for over 30 years. For further information, you may call him at (212) 695-3281 or log on to his website at www.seguritan.com

MAINLAND NEWS

UniPro Conducts Successful Community Launch

ON AUGUST 14, 2009, THE FILIPINO AMERICAN UNITY FOR PROGRESS (UniPro) officially launched its mission and vision to the general public during a reception held at the Philippine Consulate in New York City.

Comprised of a dynamic group of young professionals and students, UniPro welcomed guests of all ages at the Consulate to discuss their programs and vision for greater unity among the Filipino-American community.

Steven Raga, UniPro's founding President, commenced the event by highlighting the organization's mission.

"The purpose of UniPro is to institutionalize a community mechanism for constructive social accountability, which our programs aim to facilitate," Raga says. "Uniting the community in terms of purposeful collaboration is the crucial first step to moving our community forward."

UniPro also shed light on Usapan, its bi-weekly discussion group that is rapidly gaining momentum. Under the direction of Emmanuel Palatulan, Usapan has already conducted two successful sessions and facilitated an exchange of dialogue in a setting where ideas and opinions meet in a vocal, yet objective manner.

The first edition of the Filipino Papers, which featured ideas and opinions from each Usapan session, was met with great support as it was distrib-



The Filipino American Unity for Progress (UniPro) Staff

uted throughout the evening.

"The concept is quite simple—motivate people to think," Palatulan says. "Everyone who can vote, ought to vote. Likewise, anyone who can contribute, no matter his or her academic status, ought to contribute. The Filipino Papers will serve as our ballot."

Bryan Lozano, Director of the UniPro's Community Guide, engaged the audience with a speech stressing change through the energy of the youth. He spoke of the dream to unite as a collective and how the UniPro Community Guide will provide the backbone to do so through an institutionalized line of communication.

"Whether the lines of communication are blurred or non-existent, the lines need to be drawn. Communication is the first step," Lozano says.

The Community Guide will be a semi-annual publication that features organizations across the Tri-state area. The first publication, to be released within a few months, will highlight our Filipino-American cultural/artistic/theater groups or programs.

Dr. Teresita Ramirez, the

Chairperson of Business and Economics at the College of Mount St. Vincent, and a member of UniPro's Board of Advisers, was pleased with the turnout.

"The launching of UniPro marks the beginning of a new approach to building community spirit and progressive thinking among Filipino-Americans," she says. "It's heartening to know that our young professionals and students are dedicating their time and energy to share their intellect and skills to promote the common good."

UniPro dedicated a short segment of their program to honor the late President Corazon Aquino. Andree Suarez, member of the Community Guide staff, ended the ceremony with closing inspirational words for the late President, followed by a performance by singer-songwriter Edmerald Gan who sang Bayan ko.

UniPro will be utilizing the momentum of their launch to continue with both the semi-annual publications of the Community Guide as well as bi-weekly Usapan forum discussions. Their committees will be looking for organizations willing to collaborate

for their projects. Information can be found on their new website www.uniprosonow.org. ■



Emmanuel Palatulan conversing with members of the Filipino American Muslim youth



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Dodgers Celebrate Fil-Am Heritage Night

FILIPINO PRIDE WAS ALIVE AND WELL at Filipino-American Heritage Night, a community sports event that drew thousands of Fil-Ams to a recent Los Angeles Dodgers baseball game.

According to team officials, the Mytown section of Dodger Stadium was sold out. Adding to the festivities was the singing of the Philippine national anthem by Michelle Martinez.

Fil-Am comedian Jo Koy says Fil-Am Heritage Night is a good way to attract more fans to the ball park, particularly the sizeable Filipino-American population in Greater Los Angeles.

"There's a lot of Filipinos here who support the Dodgers and it's kind of cool to have a nice little day for us and we bring a lot to the community also," Koy says.

Los Angeles resident Ena Maree was among the many Filipinos who enjoyed the game.

"We're from LA. The Dodgers are LA. We have to support our team. Filipinos are part of the LA community so we have to support the Dodgers," she says.

This is the fourth time the Dodgers have hosted a Filipino-American Heritage night. The

Major League Baseball team first hosted Fil-Am night in 2006. (*AsianJournal.com*) ■

Photo Exhibit in D.C. Pays Homage to Filipino WWII Veterans

A PHOTO EXHIBIT ENTITLED "Sonata Our Heroes: Unsung Filipino Veterans of WWII" is currently on display at the Philippine Embassy in Washington, D.C.

The exhibit includes stirring images of Filipino veterans, historical materials on the situation in

the Pacific prior to December 1941 and during World War II, and a narrative by the late veteran Victor Arcega Ruff of the infamous Bataan Death March. Embassy officials say that the exhibit "underscores the sacrifices of Filipino soldiers in defense of freedom."

"Through this exhibit, we remember the great sacrifice made so that our nation can live in freedom," says Philippine Ambassador Willy C. Gas said. "Through this exhibit, we reaffirm our pledge to never forget the lessons of war that has claimed so many lives."

Originally conceived as a traveling photo exhibit, "Sonata for Our Heroes" was first presented in June 2009 at the Philippine Consulate General in New York.

The exhibit runs from August 27 to September 4 at the Carlos P. Romulo Hall at the Philippine Embassy. Sponsors include the Camera Club of the Philippines of Manila, the FotoSeven Group of California, SINAG American Society of Philippine Photographers of Metro New York and the Filipino American National Historical Society-NJ Chapter. ■

Filipina Boxer to Fight For World Title

FILIPINA FIGHTER ANA "THE HURRICANE" JULATON will take on Kelsey "The Road Warrior" Jeffries for the IBA Super Bantamweight Championship at the HP Pavilion in San Jose, California on September 12, 2009. The bout is scheduled for 10 rounds.

The Filipino Women's Network supports Julaton and calls her the most influential Filipina boxer in the history of the sport. Julaton, 29, will make her return to the ring in the Bay Area where she had a stellar amateur career. One of her brightest Bay Area boxing moments was at the 2006 SF Golden Gloves Championship where she dominated her competition in winning the title at the San Francisco Civic Auditorium in front of more than 5,500 fans.

If Julaton pulls off the upset and defeats Jeffries, she would become the first Filipino-American to capture the IBA World Championship, a belt that was captured and defended 5 times by the great Laila Ali.

Originally a taekwondo fighter, Julaton's foray into the ring began when an instructor at



the West Wind Schools of Martial Arts in Alameda, California, encouraged her to give boxing a try. Her parents had their doubts but changed their minds after seeing one of her bouts. They are now her biggest supporters.

For Julaton, one of her biggest challenges is gaining respect in a sport dominated by male fighters. It only drove her to train extra hard to prove herself.

"People have said that boxing is not for me," Julaton said in a 2007 interview with *AsianWeek*. "They said that I shouldn't be here. But this is my true calling, and I will move forward with it to the best of my abilities." ■

GLOBAL NEWS — PAL Stewardess Represents Philippines in 2009 Miss Universe Pageant

PAMELA BIANCA MANALO, 22, who works as a Philippine Airlines domestic flight attendant, represented the Philippines in the recently-concluded 2009 Miss Universe Pageant, which was held on August 23 in the Bahamas.

The 5-foot, 10 inch beauty was among dozens of contestants from over 80 countries and territories around the world who competed for the coveted title. Although she did not place in the top 10, many observers say she represented the Philippines with style and grace—and more importantly, exemplified the true beauty of the Filipina.

Manalo comes from a family of beauty queens. Her eldest sister, Katherine Manalo-Hernandez, was a finalist at the 2002 Miss World Pageant, while her aunt, Nini Ramos-Licaros, was a finalist at the 1968 Miss International.

A native of Manila, Manalo won the right to represent the Philippines at the Miss Universe



Pageant after being crowned Binibining Pilipinas 2009 - Universe at the Araneta Coliseum in Quezon City, on March 7, 2009.

Upon her arrival in Nassau, the Bahamas, Manalo received a warm welcome by a surprisingly large contingent of Filipinos. Most of the Filipinos who made up the welcoming party were workers from resorts and hotels across the island. Many of them attended Miss Universe 2009 public events to show their support for the Philippines' candidate. ■

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September 18, 2009 • Ala Moana Hotel • 6:00 pm. • Contact persons: Cora Baclog-Credo at 927-4081, Maria Etrata-392-2962, Bernadette Fajardo-342-8090

MISS TEEN HAWAII FILIPINA / FRIDAY

September 18, 2009 • Hawaii Theater • 6:00 pm. • Contact persons: Lynne Gutierrez 728-1700, Bernadette Fajardo 342-8090, Ruth Aguinaldo-258-1363 and Eddie Agas 783-3327

UFCH PROGRESS AWARD AND AFFIRMATION OF OFFICERS / SATURDAY

October 17, 2009 • Hilton Hawaiian Village, Coral Ballroom • 6:00 pm. • Contact persons: Bernadette Fajardo 342-8090, Eddie Agas 783-3327, Carlota Ader 688-3215, Maggie Domingo 841-2841

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